

## Message Text

CONFIDENTIAL

PAGE 01 STATE 027564

61

ORIGIN NEA-09

INFO OCT-01 ISO-00 L-02 SCS-03 SCA-01 H-01 SY-04 CIAE-00

INR-07 NSAE-00 RSC-01 SSO-00 INRE-00 /029 R

DRAFTED BY NEA/INS:RDLORTON;L/NEA:BKHUFFMAN:DSC

APPROVED BY NEA/INS:DKUX

L/M/SCA:TGAITHER

SCA/SCS:JLIVORNESE

SCA:TRECKNAGEL(SUBS)

----- 058390

O R 062123Z FEB 75

FM SECSTATE WASHDC

TO AMEMBASSY NEW DELHI IMMEDIATE

INFO AMCONSUL CALCUTTA

C O N F I D E N T I A L STATE 027564

E.O. 11652: GDS

TAGS: PFOR, CASC, IN

SUBJECT: HARCOS/FLETCHER

REFS: NEW DELHI 1658, NEW DELHI 1607

1. ON THE BASIS OF YOUR 1607 WE TOO HAD CONCLUDED THAT THIS WAS AGAIN TIME FOR US TO COMPLAIN TO GOI ABOUT HARCOS/FLETCHER CASE, AND WE WELCOME YOUR SUGGESTION OF SENDING A NOTE EXPRESSING OUR CONCERN ABOUT THE IN-ORDINATE DELAYS IN HANDLING OF THE CASE.

2. WE CONCUR WITH YOUR PROPOSED NOTE AND REQUEST YOU DELIVER IT AT AN APPROPRIATELY HIGH LEVEL AT THE EARLIEST OPPORTUNITY. SUGGEST HOWEVER YOU REVISE LAST PARAGRAPH TO INCORPORATE MORE SPECIFIC REFERENCE TO WELL-RECOGNIZED PRINCIPLES OF INTERNATIONAL LAW AS FOLLOWS: QTE UNDER GENERALLY ACCEPTED PRINCIPLES OF INTERNATIONAL LAW, STATES ARE OBLIGATED TO CONFORM TO CERTAIN FUNDAMENTAL STANDARDS IN THEIR TREATMENT OF FOREIGN NATIONALS. THESE INCLUDE THE OBLIGATION TO INFORM DETAINED FOREIGN NATIONALS OF THE  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 027564

CHARGES AGAINST THEM AND TO AFFORD THEM A JUST TRIAL

WITHOUT UNDUE DELAY. THE EMBASSY RESPECTFULLY REQUESTS THE  
MEA TO TAKE APPROPRIATE ACTION IN LIGHT OF THE UNFORTUNATE  
HISTORY OF THIS CASE. UNQTE.

3. YOU SHOULD TAKE THE OCCASION TO NOTE THAT THERE IS  
CONTINUING CONGRESSIONAL INTEREST IN THE CASE AND THAT  
SHOULD IT AGAIN BECOME A MATTER OF PRESS DISCUSSION  
WE WILL HAVE NO ALTERNATIVE BUT TO EXPRESS OUR DISSATIS-  
FACTION WITH THE MANNER IN WHICH IT IS BEING HANDLED  
BY INDIAN AUTHORITIES. KISSINGER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DETENTION, DIPLOMATIC NOTES, TRIALS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 06 FEB 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** CunninFX  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE027564  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** RDLORTON/L/NEA:BKHUFFMAN:DSC  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750044-0555  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750265/aaaacgob.tel  
**Line Count:** 71  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN NEA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 NEW DELHI 1658, 75 NEW DELHI 1607  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** CunninFX  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 04 AUG 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <04 AUG 2003 by ShawDG>; APPROVED <24 NOV 2003 by CunninFX>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** HARCOS/FLETCHER  
**TAGS:** PFOR, CASC, IN, (HARCOS), (FLETCHER)  
**To:** NEW DELHI  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006